



**Zoning Board of Appeals Agenda
Tuesday, April 19, 2022
5:30 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7423**

Present:

ZBA Members:

Dan Roszkowski
Jennifer Smith
Kim Johnsen
Jennifer Spencer

Absent:

Tom Fabiano
Craig Sockwell
Maurice Redd

Staff:

Megan McNeill - Assistant City Attorney
Darius Morrow - Land Use Planner
Scott Capovilla - Planning and Zoning Manager
Mike Rotolo - Fire Prevention Coordinator
Jeremy Carter - Traffic Engineer

Others:

Camille Connell - Court Stenographer
Applicants and Interested Parties

Scott Capovilla, Planning & Zoning Manager, explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Zoning Board of Appeals secretary and the stenographer.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City Hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The ZBA meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the ZBA meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, April 25, 2022, at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, May 2, 2022. If the item is laid over at the ZBA meeting, the next meeting is Tuesday, May 17, 2022. If for any reason the item is laid over at the committee level or on the City Council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 5:36 P.M. A **MOTION** was made by Jennifer Spencer to **APPROVE** the March 15, 2022 meeting minutes. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

ZBA 009-22

Applicant
Ward 2

1625 East State Street

Attorney Rene Hernandez

Modification of Special Use Permit #132-94 to increase the allowable square footage for a free-standing sign from four (4) square feet to eight (8) square feet and to increase the sign height from 30 inches to 48 inches from grade in an R-2, Two-family Residential Zoning District

Attorney Rene Hernandez was present. Attorney Hernandez stated he is the owner of 1625 East State Street and is seeking a Modification of the Special Use Permit #132-94 to increase the allowable square footage for a free-standing sign from four (4) square feet to eight (8) square feet and to increase the sign height from 30 inches to 48 inches from grade in an R-2, Two-family Residential Zoning District. Attorney Hernandez explained that he has been without a sign for 20 years in the front yard but has been putting a sign in the window because of the small sign requirements of the original special permit. Attorney Hernandez stated he was seeking to put a permanent larger sign in the front yard.

Jennifer Spencer asked if the sign construction of it is two (2) wood 4 x 4 posts. Attorney Hernandez stated yes two (2) wood 4 x 4 posts and solid wood board with law office on it. Ms. Spencer asked if he would be painting it. Attorney Hernandez stated he has already painted and sealed in anticipation that this will be successful.

Kim Johnsen stated there is a recommendation for approval but the sign design does not meet the sign ordinance as a landmark-style sign. Scott Capovilla stated in the Residential District it is not required and only a low profile sign is required that does not require a base.

Ms. Johnsen was concerned about the design. Ms. Spencer stated she agreed but the Residential District does not require it. Dan Roszkowski state the sign looks cheesy.

No objectors or interested parties were present.

Staff Recommendation is for an Approval.

A **MOTION** was made by Kim Johnsen to **APPROVE** a Modification of Special Use Permit #132-94 to increase the allowable square footage for a freestanding sign from four (4) square feet to eight (8) square feet and to increase the sign height from 30 inches to 48 inches from grade in an R-2, Two-family Residential Zoning District. The motion was **SECONDED** by Jennifer Spencer and **FAILED** by a vote of 3-1, with Dan Roszkowski voting nay.

FINDINGS OF FACT FOR DENIAL OF A MODIFICATION OF SPECIAL USE PERMIT #132-94 TO INCREASE THE ALLOWABLE SQUARE FOOTAGE FOR A FREESTANDING SIGN FROM FOUR (4) SQUARE FEET TO EIGHT (8) SQUARE FEET AND TO INCREASE THE SIGN HEIGHT FROM 30 INCHES TO 48 INCHES FROM GRADE IN AN R-2, TWO-FAMILY RESIDENTIAL ZONING DISTRICT LOCATED AT 1625 EAST STATE STREET

Denial of this Modification of Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will impede the normal or orderly development and improvement of the surrounding property for uses permitted in the R-2 District.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall not conform to the applicable regulations of the R-2 District in which it is located.

ZBA 010-22

Applicant
Ward 1

920 North Mulford Road

Richard Eby of Eby Realty Group, LLC

Zoning Map Amendment from County R-2 to City R-3, Multifamily Residential Zoning District

The Applicant, Richard Eby for Bickford Senior Living, was present. Mr. Eby stated he was here 21 years ago before the same board to request an annexation of 960 North Mulford Road to build a 65-unit independent and assisted living residence, which was built and has been operating for 20 years. Mr. Eby explained that there has been an increased need within most communities to serve people with memory issues, including at the Bickford House. Mr. Eby stated to meet that need, they are proposing to build a 16-unit addition single story memory care facility with an interior court, preservation of the majority of the tree line along the west property line and are requesting to be annexed into the City of Rockford to get municipal services that are essential to our operations.

Jennifer Smith asked how soon they would be breaking ground. Mr. Eby stated he could not provide specifically but before winter late summer as soon as possible. Ms. Smith asked if the building would be connected. Mr. Eby stated yes. Ms. Smith stated she knows firsthand the need for these facilities.

No objectors or interested parties were present.

Staff Recommendation is for Approval.

A **MOTION** was made by Jennifer Smith to **APPROVE** a Zoning Map Amendment from County R-2 to City R-3, Multifamily Residential Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

FINDINGS OF FACT FOR APPROVAL OF A ZONING MAP AMENDMENT
FROM COUNTY R-2 TO CITY R-3, MULTIFAMILY RESIDENTIAL ZONING DISTRICT
LOCATED AT 920 NORTH MULFORD ROAD

Approval of this Zoning Map Amendment is based upon the following findings:

- 1) The proposed Zoning Map change is consistent with Article II, Intent and Purpose, of the Rockford Zoning Ordinance for the following reasons:
 - a. This proposal promotes the health, safety, comfort, convenience, morals and general welfare for the citizens of Rockford because it is consistent with the comprehensive plan and surrounding uses;
 - b. This proposal protects the character, scale and stability of the adjacent residential and commercial because the proposed development will meet all development requirements of this site; and
 - c. The proposed map amendment would allow for a reasonable development to take place consistent with the surrounding neighborhood.
- 2) The proposed Zoning Map Amendment is consistent with the approved general plan, the Year 2020 Plan, for the area. The 2020 Plan designates this property as RM-CO, Medium Residential-Office.

With no further business to come before the Board, the meeting was adjourned at 5:49 p.m.

Respectfully submitted,
Darius Morrow, Land Use Planner
Zoning Board of Appeals